

May 29, 2002

ORGANIZATION: Nuclear Energy Institute

SUBJECT: SUMMARY OF MEETING WITH THE NUCLEAR ENERGY INSTITUTE
REGARDING EARLY SITE PERMIT (ESP) ISSUES

On April 24, 2002, representatives from Nuclear Energy Institute (NEI) met with the Nuclear Regulatory Commission (NRC) staff. The meeting was requested by NEI in order to discuss issues related to Early Site Permit (ESP) applications and reviews. Representatives from Dominion Generation (Dominion), Exelon Generating Company (Exelon) and Entergy Operations, Incorporated (Entergy) were in attendance. The main topics of discussion for this meeting were: documentation of ESP resolved issues, ESP inspection guidance, QA requirements for ESP application data, NRC pre-application activities, and NRC review schedule.

Enclosure 1 is a listing of the meeting attendees. The NRC maintains an Agencywide Documents Access and Management System (ADAMS), which provides text and image files of NRC's public documents. A copy of the handouts from the meeting are provided as Enclosure 2, and may be accessed through the ADAMS system under Accession No. ML021340265. If you do not have access to ADAMS or if there are problems in accessing the handouts located in ADAMS, contact the NRC Public Document Room (PDR) Reference staff at 1-800-397-4209, 301-415-4737 or by e-mail to pdr@nrc.gov.

Documentation of ESP Resolved Issues

NEI suggested that issues resolved during meetings should be documented in a format similar to that in the handout (Enclosure 2). NRC responded that meetings were held for information exchange rather than for issue resolution. Therefore, issue resolution will be documented in a separate format.

Quality Assurance (QA) Requirements for ESP Application Data

NEI stated that all applicants will have programs and plans to provide for the quality assurance of the data used in ESP applications.

ESP Inspection Guidance

NEI expressed concern that the seven steps outlined in a February 22, 2002, letter are "compliance based," meaning that findings in an audit during an ESP application review would be similar to violation of regulations. NEI is also concerned that the use of inspection procedures for an audit is not appropriate. The NRC staff replied that formal inspection procedures will be used to ensure consistency during audits. The staff went on to say that Inspection Manual Chapter (IMC) 2511A is being revised to more specifically address the

protocol for performing ESP application review audits. The NRC will provide a schedule as to when the first draft of IMC 2511A will be available for public comment.

NRC Pre-application Activities

The NRC staff discussed the need for the NRC to conduct pre-application activities in order to verify that the technical, quality and administrative requirements are effectively met during the collection of data and information used in the ESP application, to introduce the local public to the ESP licensing process, and to initiate pre-application meetings with the applicant to resolve any specific application concerns. Although NEI agreed that these pre-application activities were necessary they believe that the timing of these activities should be coordinated with the industry. In particular, NEI questioned the need for a local public meeting to be held one year prior to the anticipated date of application filing. The NRC staff agreed to review the timing of the subject public meeting and provide NEI with feedback at the next meeting on ESP.

NRC Review Schedule

NEI indicated that they would like feedback on the schedule they handed out during the April 1, 2002 meeting. The NRC staff agreed to provide them with feedback at the next meeting on ESP.

Public Comments

A representative from Greenpeace commented that a need exists for the public to be involved in the ESP process (i.e., public meetings at the proposed site) as early as possible.

Summary

The following actions resulted from this meeting:

- NRC will determine if holding a public meeting at the proposed ESP site one year prior to the receipt of an application is appropriate;
- NRC will determine when draft IMC 2511A will be available for public comment;
- NRC will provide feedback to NEI on their proposed ESP review schedule;
- NRC will schedule a meeting in May with technical staff to discuss seismic issues; and
- NEI will provide a response to the February 22, 2002 letter on the Construction Inspection Program.

/RA/

Ronaldo V. Jenkins, Senior Project Manager
New Reactor Licensing Project Office
Office of Nuclear Reactor Regulation

Project No. 689

Enclosures: As stated

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Meeting
With the Nuclear Energy Institute
April 24, 2002

Attendance List

NRC

Tom Bergman, NRR
Julie Olivier, NRR
Amy Cabbage, NRR
Joseph Sebrosky, NRR
Jerry Wilson, NRR
Joe Williams, NRR
Leslie Fields, NRR
Ronaldo Jenkins, NRR
Thomas Kenyon, NRR
Bob Prato, NRR
Michael Snodderly, NRR
Edwin Fox, NRR
Tom Foley, NRR
Ken Heck, NRR
Andy Kugler, NRR
Leta Brown, NRR
Dale Thatcher, NRR
Rich McIntyre, NRR
Tony Cerne, Region I
Jerome Blake, Region II
Ronald Gardner, Region III
Chuck Paulk, Region IV
Larry Campbell, NMSS
Wilkins Smith, NMSS
Sara Brock, OGC
Dave Nelson, OE

Nuclear Energy Institute

Russell Bell
Doug Walters

Other Interested Attendees

Kevin F. Borton, Exelon Nuclear
Marilyn Kray, Exelon Generation
Thomas P. Mundy, Exelon Nuclear
George Zinke, Entergy Nuclear
Joe Hegner, Dominion Energy
Lane Hay, SERCH Bechtel
F. Shahrokhi, Framatome ANP
Charles Brinkman, Westinghouse
Marcus Page, Morgan Lewis
Jennifer Morrow, Dow Jones
Bob Evans, Enercon Services
John Hilbish, Parsons
George Stramback, GE Nuclear Energy
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Enclosure 1

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